

1 AN ACT concerning housing.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Housing Authorities Act is amended by
5 changing Sections 8.21 and 8.22 as follows:

6 (310 ILCS 10/8.21) (from Ch. 67 1/2, par. 8.21)

7 Sec. 8.21. In determining the income of tenants for the
8 purpose of determining rent, the Housing Authority shall comply
9 with all federal housing statutes and regulations of the U.S.
10 Department of Housing and Urban Development.

11 Exemptions to federal, State, or local requirements may be
12 granted to a Housing Authority in the form of Waivers,
13 Exclusions, Public Notices, Executive Orders, or Moving to Work
14 Agreements approved by the U.S. Department of Housing and Urban
15 Development.

16 (Source: P.A. 86-789; 87-200.)

17 (310 ILCS 10/8.22)

18 Sec. 8.22. Determination of income.

19 (a) Exclusions from income. In determining the income of a
20 tenant for the purpose of determining rent, the Housing
21 Authority shall exclude the following as provided in subsection
22 (b):

1 (i) The amount of any income received by the tenant as
2 a result of anti-drug, anti-crime, and related security
3 initiatives conducted by the Housing Authority. Any
4 activities or income excluded under this subdivision (i)
5 must first be certified by the Housing Authority.

6 (ii) Any income earned by a tenant during the first 12
7 months of employment which follow a period of unemployment
8 of 12 or more consecutive months if:

9 (A) a period of unemployment of 12 or more
10 consecutive months or the income received within the 12
11 months prior to employment is less than 10 hours of
12 work per week at the established minimum wage; or

13 (B) the income earned during those 12 months is
14 received as a result of the tenant's participation in
15 any economic self-sufficiency or other job training
16 program; or

17 (C) the income earned during those 12 months is
18 earned by a tenant due to new employment or increased
19 earnings, during or within 6 months after receiving
20 assistance under a State program for temporary
21 assistance for needy families funded under Part A of
22 Title IV of the Social Security Act (42 U.S.C. 601 and
23 following), provided that the total amount of earned
24 income received by the tenant within the previous 6
25 months was at least \$500.

26 (b) Procedure for excluding income.

1 (i) Initial 12-month exclusion. Beginning on the first
2 date the tenant is employed or the first date the tenant's
3 family experiences an increase in annual income as
4 determined under subdivision (a)(ii) of this Section, the
5 Housing Authority must exclude the increase in annual
6 income for each month in which the increase is received,
7 but not for more than 12 months.

8 (ii) Second 12-month exclusion and phase-out. After
9 the initial 12-month exclusion period under subdivision
10 (b)(i) of this Section, the Housing Authority must exclude,
11 for each month in which the increase in income is received,
12 but not for more than 12 months, 50% of the increase in the
13 annual income that is received due to the tenant's
14 employment or the tenant's family experiencing an increase
15 in annual income under subdivision (a)(ii).

16 (iii) Maximum 48-month period for exclusions. The
17 exclusion of increases in income of an individual family
18 member as provided in subdivision (b)(i) or (b)(ii) of this
19 Section is limited to a lifetime 48-month period. The
20 exclusion applies for a maximum of 12 months for the
21 exclusion under subdivision (b)(i) and a maximum of 12
22 months for the exclusion under subdivision (b)(ii), during
23 the 48-month period starting with the beginning of the
24 initial exclusion period under subdivision (b)(i), which
25 immediately follows 12 or more months of unemployment.

26 (c) Inapplicability of income exclusions to admission

1 process. The exclusion of increases in income as a result of
2 employment under this Section for the purpose of determining
3 rent does not apply for purposes of determining eligibility for
4 admission to the program (including determinations of income
5 eligibility and income targeting).

6 (d) Inapplicability of income exclusions to the HOME
7 Investment Partnership Program, Housing Opportunities for
8 Persons with AIDS, the Supportive Housing Program, and the
9 Housing Choice Voucher Program. The exclusion of increases in
10 income as a result of employment as provided under subsections
11 (a) and (b) of this Section is not applicable to the following
12 programs: the HOME Investment Partnership Program, Housing
13 Opportunities for Persons with AIDS, the Supportive Housing
14 Program, and the Housing Choice Voucher Program, except for a
15 tenant family member who is a person with disabilities as
16 defined in 42 U.S.C. 423.

17 (Source: P.A. 93-242, eff. 7-22-03.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.